REMARKS

Claims 1-50 are pending and stand rejected. Claim 50 is canceled without prejudice by this Amendment. Claims 1-49 are therefore at issue.

Support for the Amendments

Claims 1 and 39 are amended to correct obvious and inadvertent clerical errors. The amendments to Claims 1 and 39 are not made for any reason pertaining to patentability of the claims and do not narrow the claims in any way. Claims 1 and 39 as amended are supported at least by Claims 1 and 39 as originally filed.

No new matter is added.

The Claims Are Allowable over the Cited Art

Payne et al. Alone

The Examiner rejected all pending claims in view of Payne et al. (U.S. Patent No. 5,715,314), either alone or in combination with Stefik et al. (U.S. Patent No. 6,236,971). Applicants respectfully traverse these rejections and request reconsideration and withdrawal of these rejections.

As a preliminary matter, it is unclear to Applicants which systems of Payne et al. are believed by the Examiner to be read upon by the various recited systems of Applicants' claims.

For example, the Examiner asserted that the payment computer 16 of Payne et al. is read upon by the recited "merchant system" of Claim 1 for the first two elements. However, the Examiner subsequently asserted that the recited "sending a request for reservation ... to the content manager" reads upon the sending of a URL to the payment computer 16 of Payne et al. Thus, the Examiner asserted that payment computer 16 of Payne et al. is both the recited "merchant computer system" and the recited "content manager computer system" of Applicants' Claim 1. Applicants are unclear as to how payment computer 16 of Payne et al. is coupled to itself through a computer network as recited by Claim 1. Clarification is respectfully requested.

Claim 1 further recites "receiving, in the content manager computer system, a delivery request signal from the merchant computer system ..." which the Examiner asserted reads upon the sending of a newly created work from creation computer 20 of Payne et al. to merchant computer 14 of Payne et al. Thus, the Examiner asserted that the recited "content manager computer system" also reads on creation computer 20 and that the recited "merchant computer system" reads on merchant computer 14 of Payne et al.

In summary, the Examiner appears to have confused multiple, alternative interpretations of the teachings of Payne et al. but has failed to identify a single interpretation in which all of the recited interrelationships of Claim 1 are taught by Payne et al. Accordingly, the Examiner has failed to successfully present a prima facie case for unpatentability of Claim 1 in view of Payne et al.

In addition, Payne et al. only teaches interaction which involves buyer computer 12. In contrast, Claim 1 recites "receiving, in the content manager computer system, a delivery request

signal from the merchant computer system wherein the delivery request signal requests delivery

of the digital product to a client computer system through the computer network." Payne et al.

neither teach nor suggest any direct interaction between payment computer 16 (analogized to

Applicants' recited merchant system by the Examiner) and merchant computer 14 (analogized to

Applicants' recited content manager by the Examiner). Instead, Payne et al. teach that the buyer

computer interacts with merchant computer 14, then with payment computer 16, and then with

merchant computer 14 again. The purchase transaction of Payne et al. is summarized as follows.

I.   Purchase transaction between buyer computer 12 and payment computer 16.

  1.   The user (at buyer computer 12) requests a product (step 32 at Figure 2A).

  2.   The purchase request is a payment URL sent to payment computer 16 (step

          34).

  3.   Payment computer 16 verifies the user's account, sufficient funds, etc. without

          interaction with merchant computer 14.

  4.   Payment computer 16 sends an access URL with a redirect instruction to buyer

          computer 12 (step 90 at Figure 2G). Thus, payment computer 16 directs buyer

          computer 12 to continue the transaction by interacting with merchant computer

          14. Payment computer 16 thereby avoids direct interaction with merchant

          computer 14.

II.   Delivery transaction between buyer computer 12 and merchant computer 14.

  1.   Buyer computer 12 sends the access URL to merchant computer 14 (step 92 at

          Figure 2H).

2.   Merchant computer 14 verifies the authenticity of the access URL without

interaction with payment computer 16 (steps 94-98).

3.   Merchant computer 14 delivers the purchased document to buyer computer 12.

Thus, the purchase transaction of Payne et al. does not involve any direct interaction

between merchant computer 14 and payment computer 16. Since the Examiner has not identified

any teaching or suggestion in the prior art of the recited reservation step, Claim 1 is allowable

over art cited by the Examiner.

Claims 2-38 depend from Claim 1 and are therefore allowable over Payne et al. for at

least the reasons given above with respect to Claim 1.

Claim 39 recites limitations similar to those discussed above with respect to Claim 1

and is therefore allowable for at least the same reasons. Claims 40-49 depend from Claim 39 and

are therefore similarly allowable.

Payne et al. in Combination with Stefik et al.

The Examiner rejected Claims 4, 5, 9, and 27-38 as unpatentable in view of Payne et al.

in combination with Stefik et al. Applicants respectfully traverse this rejection and request

reconsideration and withdrawal of this rejection.

The Examiner has not identified within Stefik et al. any of the missing teachings of

Payne et al. as discussed above. Accordingly, Claims 4, 5, 9, and 27-38 are allowable over any

combination of Payne et al. and Stefik et al. for at least the reasons given above, assuming

argendo that such combination is properly motivated in the prior art.

MARKED UP AMENDMENTS TO SHOW CHANGES

IN THE CLAIMS

1   1.   (Amended)   A method for conducting electronic commerce through a

2   computer network, the method comprising:

3   receiving, in a merchant computer system of the computer network, a purchase

4   request for a digital product;

5   receiving payment data in the merchant <u>computer</u> system wherein the payment

6   data specifies remuneration for the digital product;

7   <u>sending a request for</u> [requesting] reservation of the digital product [from] <u>to</u> a

8   content manager computer system which can be different from the merchant computer

9   system and which is coupled to the [content manager] <u>merchant</u> computer system

10   through the computer network;

11   receiving, in the content manager computer system, a delivery request signal

12   from the merchant computer system wherein the delivery request signal requests

13   delivery of the digital product to a client computer system through the computer

14   network;

15   sending transaction identification data to the client computer system wherein

16   the transaction identification data identifies the digital product and represents

17   remuneration in accordance with the payment data;

18   receiving, in a delivery computer system of the computer network, the

19   transaction identification data from the client computer system;
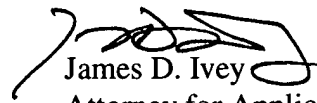
20   determining within the delivery computer system, in accordance with the

21   transaction identification data, the digital product; and

22   sending, from the delivery computer system, the digital product to the client

23   computer system.

1   39.   (Amended)   A method for conducting electronic commerce through a

2   computer network, the method comprising:

3   receiving, in a merchant computer system of the computer network, a purchase

4   request for a digital product;

5   receiving payment data in the merchant <u>computer</u> system wherein the payment

6   data specifies remuneration for the digital product;

7   <u>sending a request for</u> [requesting] reservation of the digital product [from] <u>to</u> a

8   content manager computer system which can be different from the merchant computer

9   system and which is coupled to the [content manager] <u>merchant</u> computer system

10   through the computer network;

11   receiving, from the content manager computer system, voucher data which is

12   readable by the content manager computer system and which represents to the content

13   manager computer system a transaction in which the remuneration specified by the

14   payment data is exchanged for the digital product.

Conclusion

Claims 1-49 are now in a condition for allowance and such action is respectfully

requested. If the Examiner's next action is other than for allowance of Claims 1-49, or if the

Examiner has any questions or comments with respect to the above identified case, the Examiner

is respectfully invited to telephone the undersigned at (510) 336-1100.

Respectfully submitted,

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